

AFFIDAVIT OF JOSEPH K. GRANATINO

I, Joseph K. Granatino, being duly sworn, do state that:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I have been an ATF Special Agent for over 14 years, and during that time I have been involved in numerous investigations of violations of Federal Firearms Laws. I am currently assigned to a group in the Boston Field Division of ATF that, in part, works with other Federal, State and local police departments in and around the Metropolitan Boston area to investigate and prosecute violations of federal firearms, explosives and controlled substance laws.

2. Based on my training and experience as an ATF Special Agent, I am familiar with federal firearms laws and know that it is a violation of Title 18, U.S.C., Section 922(g)(1), for a felon to be in possession of a firearm. I also know that it is a violation of Title 21, U.S.C., Section 841(a)(1), to possess cocaine with the intent to distribute cocaine.

3. The facts stated herein are based upon my personal involvement in this investigation and on my discussions with other law enforcement officers involved with this investigation. In submitting this Affidavit, I have not included each and every fact known to me or to other law enforcement officers about the investigation, but only those facts that I believe are necessary to establish the requisite probable cause.

4. During the month of December 2004 Massachusetts State Trooper Dean LeVangie of the Massachusetts State Police received information from a confidential informant (hereinafter "CI") who knew of an individual named "Javon" who was selling cocaine base (known to the CI as "crack") in the Brockton area.

5. The CI informed State Trooper LeVangie that he/she knew Javon from his/her own interactions with Javon. Those interactions included multiple purchases of cocaine base by the CI from Javon in Brockton over a multiple-month period of time in 2004.

6. The CI described "Javon" as being a black male with a large build in his mid-twenties with dark skin and black, braided hair. According to the CI, Javon is known to him/her and to others as a seller of crack throughout the city of Brockton. The CI said that Javon lived on the north side of Brockton. The CI further stated that he/she knew Javon to also go by the street name "Candyman" and that he/she knew that Javon used that name ("Candyman") on his voice mail for his cellular telephone. The CI provided the number for the cellular telephone as (774) 240-3826. The CI stated that Javon utilized two motor vehicles in his distribution of crack cocaine. The CI described one vehicle as being a 2001 BMW bearing Massachusetts registration "66MW59" and the other vehicle as a 1991 Acura Legend bearing Massachusetts registration "3001TJ."

7. Trooper LeVangie informed a member of the Brockton Police Department (Sgt. K. O'Connell) and other member of the Brockton Police Department of the information provided by the CI about "Javon." Sgt. O'Connell, as well as other members of the Brockton Police Department, then informed Trooper La Vangie that the information and description(s) were consistent with an individual known to them (and with whom they had interacted) as "Javon Wooten."

8. Trooper LeVangie then obtained an image of the person police knew to be "Javon Wooten" from the Registry of Motor Vehicles. Trooper LeVangie then provided a printout of that image to the CI, who identified the person in the image as the individual who had been selling him/her cocaine base and who was known to him/her as "Javon."

9. Beginning in the month of December 2004 and lasting through the end of February, the Massachusetts State Police, utilizing that same CI, made four controlled purchases of cocaine base from the person whom the CI identified as "Javon" and who appeared in the Registry of Motor Vehicles as "Javon Wooten." On each occasion, the CI met with Trooper LeVangie prior to the sale. The CI was provided with money for the purchase by the state police and was physically searched to ensure that he/she did not have any narcotics or other contraband on

his/her person prior to meeting Javon. The CI then placed calls (on each occasion) to the aforementioned cellular phone number (which number was dialed by the state police) and verbally arranged with Javon to purchase "crack." During that conversation, monitored by the State Police, Javon instructed the CI where to meet him to carry out the purchase. The police then transported the CI or followed the CI to the location where Javon had told the CI to meet him for the sale.

10. Members of the Brockton Police and State Police then observed each of the four transactions involving the CI and Wooten. During two of the controlled purchases, they observed a woman believed to be Wooten's girlfriend, Carlota Fernandes, driving the car used to conduct the transactions (the 1991 Acura) and that Wooten was in the front passenger seat of the vehicle. On the other two occasions, the police observed that Wooten was driving the 2001 BMW.

11. Based on these four monitored transactions (buys), on March 2, 2005, Trooper LeVangie executed state-issued search warrants (to search for evidence of cocaine base and other evidence related to drug trafficking) for two residences (located at 122 Nilsson St., Floor #2, and 26 Annis Ave., Floor #3, in Brockton, MA) as well as for the two previously described vehicles. The BMW (alone) was found from the Registry of Motor Vehicles to be registered to "Javon Wooten" at 1454 Main Street in Brockton, Massachusetts. Police had also surveilled Wooten repeatedly arriving at and departing the two residences where the search was authorized. Police had also previously responded to a report of a domestic violence incident at the 122 Nilsson St., Floor #2 residence and found Wooten and Fernandes (thought to be Wooten's girlfriend) at that location. That residence was also known by police to be rented by Fernandes. Police had also observed the BMW registered to Wooten to be regularly present in a parking area behind the Nilsson Street residence on multiple occasions during the day and night. As a result of their surveillance, police believed that only Wooten and Fernandes lived at the Nilsson Street residence.

12. On March 3, 2005, at approximately 6:45 p.m., detectives prepared to execute the search warrants. Just prior to executing the search warrants, agents located Wooten's BMW at the corner of Main Street and Sheppard Street in Brockton. Police then observed Wooten inside a hair salon across the street from where his vehicle was parked. Police proceeded to search Wooten's BMW and found one bag containing an off-white substance which police believed to be consistent in appearance with what they knew from their training to be cocaine (Wooten was then arrested and found to have \$3,268 in cash on his person). The substance contained in the bag was subsequently weighed and tested by the Massachusetts State Police Crime Laboratory and found to contain 7.56 grams of cocaine.

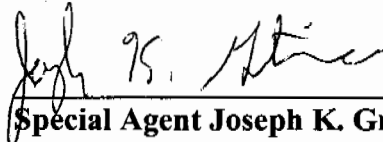
13. About ten minutes later, during the search of the residence at 122 Nilsson Street, Floor #2, in Brockton, on the top shelf of the master bedroom closet, state police recovered a gun case containing a silver Amadeo Rossi .357 caliber revolver and six rounds of .357 ammunition, and a box containing 50 rounds of .357 ammunition. Also found in the master bedroom closet were one Daewoo .40 caliber, semi-automatic revolver, fully-loaded with ten rounds of ammunition, an additional semi-automatic magazine containing eleven rounds of .40 caliber ammunition, and one fully loaded Taurus .357 revolver. On the dresser in the master bedroom police located miscellaneous paperwork in name of Javon Wooten, and inside the dresser agents located paperwork from the Brockton District Court in the name of Javon Wooten, as well as an identification card with Javon Wooten's name. On a computer table in the same bedroom agents found an electronic scale and a box of Glad sandwich bags. Police also recovered from the search at 26 Annis Ave., Floor #3, in Brockton, a plastic bag containing nineteen Percocet pills, electronic scales, and drug paraphernalia packaging material.

14. I have reviewed the computer printout from the Massachusetts Criminal History Board for WOOTEN, which reflects several felony convictions

prior to March 3, 2005, for crimes I know to be punishable by terms of imprisonment exceeding one year.

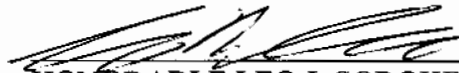
15. ATF Special Agent Tony Thurman examined the Amadeo Rossi, Daewoo, and Taurus firearms, as well as the ammunition recovered from 122 Nilsson Street, second floor apartment, and determined that all of the firearms and ammunition have traveled in interstate commerce.

16. Based upon all of the foregoing information, I believe that probable cause exists to conclude that on March 3, 2005, JAVON WOOTEN, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did possess firearms, in violation of Title 18, U.S.C., Section 922(g)(1). In addition, I believe probable cause exists to conclude that Javon Wooten possessed cocaine with the intent to distribute, in violation Title 21, United States Code, Section 841(a)(1).



Special Agent Joseph K. Granatino
Bureau of Alcohol, Tobacco, Firearms
and Explosives

Sworn and subscribed to before me this 16th day of June, 2005.



HONORABLE LEO J. SOROKIN
UNITED STATES MAGISTRATE JUDGE

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. II Investigating Agency ATF

City Brockton Related Case Information:

County Plymouth Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant X
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Javon Wooten Juvenile ☐ Yes ☒ No

Alias Name _____

Address 1454 Mair Street, Brockton, MA

Birth date: ** ** 77 SS#: *** ** 3531 Sex: M Race: B Nationality: U.S.A.

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA William H. Connolly Bar Number if applicable 634501

Interpreter: ☐ Yes ☒ No List language and/or dialect: _____

Matter to be SEALED: ☐ Yes ☒ No

☒ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____

☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by _____ on _____

Charging Document: ☒ Complaint ☐ Information ☐ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: June 14, 2005 Signature of AUSA: RA 12

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy)

Name of Defendant Javon Wooten

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. 841(a)(1)</u>	<u>Possess w/ Intent to Dist. Cocaine</u>	<u>1</u>
Set 2	<u>18 U.S.C. 922(g)(1)</u>	<u>Felon in Possession</u>	<u>2</u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION:

District Court Case Number (To be filled in by deputy) _____

Name of Defendant Javon Wooten

JS 45.wpd - 3/13/02

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Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
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Set 14 _____	_____	_____
Set 15 _____	_____	_____

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Name of Defendant **Javon Wooten**

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